837 588 548 [586] Free Marriage. The only marriage which can be called free, since it is accepted by both parties, is that of a woman who is unable to endure her first husband and leaves her village with the intention of becoming a prostitute. Divorce is quite rare because the Moaga does not readily agree to it. As she passes through a village, she asks for hospitality, and the news soon spreads that a "free" woman is staying at such-and-such a place. The young men hasten to her and seek to win her favors. Gifts are sent to her, and her hostess is used as go-between. Nine times out of ten, the woman accepts the candidate preferred by her hostess. After some questions concerning his origins and circumstances, one of the young men is accepted as a temporary lover. His comrades come to his aid, and for a few days there is a veritable festival in the village. There is a slight change in the [177] regular fare, since meat is added to the mush; chickens, raised with considerable difficulty, are used for this special treat. This semblance of marriage is thus celebrated. As has been pointed out, however, there has been no divorce, and the deserted husband soon learns the whereabouts of his wife. As soon as he finds out what village she is in -- it may be 100 kilometers away -- he promptly sets out, carrying in a sheepskin enough ground millet for the journey and 500 to 1,000 cowries. He also carries a rooster which, along with the shells, will be offered to the chief of the canton where the lover lives, to whom he will make his claim.

[578] Unions of this sort give rise to three-quarters of the quarrels with which the canton or province chiefs have to deal. A young Moaga who desires peace of mind never regularizes the situation by a so-called marriage even though he may not be able to resist the temptation to harbor the woman for a few days. In any event the affair is easily broken off since sooner or later the woman, eager for change, will want a new lover.

583 Thus, it may be said that although forced marriage has the disadvantage of having a girl marry without her consent, still it also has advantages and a degree of security because the woman, fearing [178] her parents' wrath, rarely leaves her husband. Furthermore, this type of marriage is vastly preferable from the standpoint of peace

843 4. A pregnant woman must not step over her husband; this would make him ill.

883 5. The sexual act may be performed with impunity in the courtyard of a dwelling (at night). Otherwise, it is expressly forbidden to do it outside the house and in any way other than lying on a mat or Peulh secco, in any case never directly on the ground.

845 837 847 6. The delivery will be difficult and complicated if the child was conceived in adultery. If the woman is to be delivered, it is absolutely necessary that she confess the name of her accomplice in the presence of witnesses. In this case, if the husband demands it -- and he always does -- the newborn child is killed by the erring wife immediately after it is born (1). [185]

1. The procedure is as follows. Some young mothers simply twist its neck and strangle it. Others put the baby in a jar of lukewarm water. The baby instinctively drinks and finally drowns.

837 684 Adultery. Before the arrival of the French, adultery committed by the nakomsé (descendants of naba) was punished by the death of the guilty couple. Among ordinary Mossi, the culprit was simply banished from the family.

However, if the lover was not a relative of the woman's husband, he was forbidden henceforth to come to the village where the woman lived. If he failed to observe this rule, he risked being killed.

837 As a general rule, a Moaga woman takes a lover in a village some distance away from her husband's village and not far from her own. When she asks her husband's permission to visit her family, she profits by the opportunity to spend some time with her lover or to let him know that she is going to her parents' home.

Dissolution of Marriage. Divorce.

586 842 A divorce may be imposed by a husband who no longer loves his wife, but neither ill-health nor sterility may be invoked for the purpose. In the latter case, it is simply assumed that God does not want the woman to have children. She is often regarded with scorn, but sometimes no attention is paid to her lack of children.

586 The new husband of a woman who has been deserted does not [186] and cannot maintain any relations whatever with the former husband. In any event, the latter would never agree to see his successor, even though the divorce had been arranged with his consent. Besides, the new marriage is often contracted in another village.

The Question of Nationality Among the Mossi

641 In Mossi country the child takes the father's nationality, and any child born of a Moaga subject is himself a Moaga.

593 Any child, male or female, is under the authority, first, of his father and, above him, of the head of the family. A mother may never, under any circumstances, give her daughter in marriage.

641 If a Moaga woman happens to marry a foreigner, she does not acquire her husband's nationality. In the same way, a foreign girl (a Bambara or a Djerma, for example) does not lose her own nationality when she marries a Moaga. In the eyes of her husband's relatives, as well as the rest of the populace, she remains a foreigner, required to practice the customs of her husband but nevertheless a foreigner.

Thus, when a Moaga subject chooses to emigrate, the nationality of his children who remain in Mossi territory, whether minor or of age, does not ipso facto change.

A legitimate child takes on his father's nationality [187] even though the foreign-born father may have a Moaga as his wife.

Children born of a Moaga father and either a Moaga or foreign-born mother are Mossi.

[848] As for illegitimate children, they take the mother's nationality unless they are recognized, and this can be done only if the mother marries before the birth of the child.

If the child has not been legitimized until after his birth, he will sooner or later suffer from the omission, since his bastard origin will not long remain a secret.

Loss of nationality. The Mossi may lose their nationality only under the following two conditions.

1. When the Moaga subject has been expelled from his village for some serious crime, sent away by his relatives, and no longer regarded

585 184 It should be noted that these ceremonies are often curtailed. They may also vary in ways that will not be described here. Sometimes they may not take place at all. This happens when the girl already has a husband prior to her birth, or when she is part of an inheritance. In such cases her relatives merely take her to her husband.

585 782 No sacrifices are performed during the marriage ceremonies. The husband does offer a sacrifice on the day he builds a hut for his wife, and at the place where the structure is to be erected. The girl's mother consults the sorcerer a few times to find out if her daughter will be welcomed in her new home, and to know which sacrifice must be offered to ward off illness while she lives with her husband. She communicates the answer to the girl's father, and he himself offers the prescribed sacrifice.

602 431 In theory, the husband owes nothing else to his in-laws. In practice, he would hold himself in poor esteem if he were not to present them with a few more gifts, especially on important feast days. When his maize is harvested, he sets aside a few ears for his wife's relatives; when his millet is threshed, he is sure to send some to his father-in-law; whenever he organizes any sort of festivity, his in-laws are invited; and he personally helps them in their work.

586 There is no divorce in the formal sense of a judgment rendered by law. A husband may send his wife back to her relatives if she steals, if she is lazy, or especially if she commits adultery, but even in the latter case his action will be regarded with disapproval. It is a husband's duty to watch over his wife and, if necessary, to discipline her. The man who repudiates his wife makes himself unpopular and cannot obtain new wives. It also happens, and this occurs more frequently, that the wife runs away and goes back to her family, /33/ either because she complains of ill treatment, or because she is not happy with her husband, or for some other reason of a more or less dubious character. If the husband manages to catch up with her before she gets home, no great problem is involved. He merely beats her and shuts her in for a few days. If she does reach her relatives, especially if they are in connivance, the husband must present a few gifts to them and even to his wife. The in-laws usually try to convince their daughter to return to her husband, but they do not force her to do so. Even the naba, when called upon to intervene, limits himself to the use of moral authority; his threats usually persuade the woman to return to her husband, who may himself use force if he wishes.

586 It nevertheless happens, though very rarely, that the husband is unable to convince his wife and returns home alone. No one troubles the wife from then on, and her relatives give her full freedom. The grudge of the rejected husband may be persistent, however, and his vengeance frightful. The bride price is not returned; the husband should have known how to keep his wife. It is nevertheless acknowledged that the children born of the union, boys or girls, belong to the father, and he does not fail to claim them when they are grown, or if they run away to their mother.

564 467 Negro populations often contain caste groups, set apart from each other by tight barriers. The most outstanding of these are the rules prohibiting marriage between members of the same caste or between those who belong to a caste and those who do not. Such prohibitions do not exist among the Mossi, except in the sense mentioned earlier. Although three caste-like groups exist among them, drummers, smiths, and undertakers, they are castes only in the sense that those who do not belong to such a family cannot exercise the profession. It might be more accurate to call them guilds.

533 [534] The drummers (binda) are those who play the bindré, a sort of large gourd with an aperture about 40 centimeters in diameter and covered with hide. Only those who belong to the drummers' family may play on this drum, which apparently is peculiar to the Mossi, but anyone may play on the other drums. [782] The drummers are present at all sacrifices offered by the naba; on Friday, the day of sacrifice, they go and pay their respects to him. When sacrifices are offered, they are entitled to the head of the victim. They are present at all [764] burials, where they play their drum and receive a remuneration which varies with the wealth of the deceased. If it is one of their members who died, they receive neither cowries nor food. They go to war [727] with their drums. If they are so unfortunate as to be made prisoners, they are never sold but ruthlessly killed; this is done either to prevent them from going back into the fray and stirring the warriors to sack the village, or because no one would want to buy them since they belong to a naba who would retaliate against their captors, or for both reasons at once. The drummers are the country's griot, a term hallowed by custom. They know the genealogy of every naba and sing his praises. Each province chief has a number of drummers and never travels without taking some of them with him. At other times they go to /34/ the market and follow the best-dressed people, singing

593 made use of this right quite rarely. The woman has productive
837 value in terms of children and labor. And then, in the majority
684 of cases, the husband would merely fulfill the dearest of his wife's desires by doing so."

593 While the Mossi wife has duties toward her husband, the latter
586 also has obligations toward his wives.

"A wife," says the Monographie, "has the right to demand from her husband more than mere platonic relations.

"Should the latter prevail, however, owing to the husband's impotence or illness, or simply as a result of ill will, the neglected wife would communicate the situation to the first wife of the family head, who would in turn inform her spouse.

"Should the husband's behavior be caused by physical incapacity, the woman would be taken from him and given to one of his brothers, or if there were none to his nearest relative, his sons excepted. Should his behavior be due merely to ill will, however, remonstrances would be made to him, and should these prove fruitless at the end of a few days, the woman would be considered free to return to her family."

593 Just as the husband owes his wives fulfillment of the conjugal
837 duty, he also owes them relative faithfulness.

"The husband has an obligation of relative faithfulness toward his wives, that of not keeping a concubine at the conjugal domicile.
586 Should he transgress this rule, his wives would be fully entitled to obtain a divorce from him, unless he should agree to turn out his partner as a result of his wives' complaint or the intervention of the family head.

"This rule is strictly obeyed, except for the Mossi of the Kipirsi who allow the presence of the husband's concubines among his legitimate wives, and who have rules governing their respective positions.

"In any case the husband is everywhere allowed to /564/ deceive his wives as he pleases outside the conjugal domicile, and they are not entitled to complain about this in any way. Nevertheless, they nearly always have at their disposal a practically infallible although circuitous means of causing the greatest inconvenience to the fickle husband and his partner. As a result of the custom that pledges girls in marriage at a very early age, a husband can hardly commit

593 adultery except with a woman who is already married. A deceived
837 wife who wishes to take her revenge need only reveal to the spouse of her husband's partner the criminal relations that victimize them both."

593 Let us add that another of the husband's duties is to render help
602 to his wives' relatives if the latter are in needy circumstances.

Of course, the failure to fulfill these obligations could cause
593 the wife to request a divorce. Divorce thus exists among the Mossi,
586 although women rarely resort to it. The bride price is never claimed back by the husband, even if the woman has remained sterile. The children always devolve to the husband.

The husband, on the other hand, may turn out his wife, but Mossi husbands do not usually make use of this right.

585 Let us add that the matter of the girl's virginity at marriage
836 is settled by the Mossi as by most other Blacks. If a girl is bought or betrothed from a very young age, she must preserve herself intact for her future husband. An unbetrothed girl, however, is free to use her own body when she reaches puberty, and if she marries later she cannot be reprimanded for having become a woman prior to her wedding.

567 Let us now proceed to the status of slaves.

Two kinds of slaves are distinguished among the Mossi, aside from the usual distinction between trade slaves and house slaves.

1. The daparé (etymologically, "followers," "men who walk behind their master," from da, "man" and paré, "behind"). They are unmarried slaves.

2. The bagaré ("men of the enclosure"). Those are married captives.

/565/ The daparé live with their master and always remain at his disposal for any work that may come up. They have no small individual plots, therefore, and their master provides them with food and clothing at all times. When they reach marriageable age, their master buys them a wife (or at least it was so in the old days; she would cost the master about 60,000 or 70,000 cowries), and then they settle on their own.

431 cowries, the head of the family would be rejected. The head of the
583 family would certainly not fail to tell him that in promising a girl he intended to give her as a bride and not to sell her. Should the husband insist, he would simply be driven away."

581 Marriage, therefore, is not regarded as purchase among the Mossi,
586 contrary to Malinké and Bambara practices, and in this sense it is imbued among them with greater dignity. Unfortunately, this absence of a bride price permits an easy rupture of the marriage ties, while this is not the case among the Bambara and Malinké where the woman is bound more firmly to her duties. The household, therefore, is less securely grounded among the Mossi than among the Mandé, and thus evil results from good.

581 As a rule, the marriage bond is much looser and more fragile among
583 the Voltaic tribes (Bobo, Gourounsi, Mossi, Habbé/Habe/, etc.) than among the Mandé groups (Bambara, Malinké, etc.), and this is related to the lack of a real bride price. Where there is a bride price, the young girl is sold. If she wishes to leave her husband once she is married, however, considering that a bride price of some importance is difficult to refund (since improvident family heads immediately set out to squander it, while more serious people use it right away to buy a girl for some young man of the family), it has become customary to oppose categorically any demands to break the marriage bond. Thus, while betrothal has greater dignity among the Voltaic tribes, marriage itself has more staying power and more seriousness among the Mandé, and the household has greater soundness. /238/

Now to return to the Mossi.

431 Let us note first that the offering of gifts allows for some flexibility.
583 A rich young man will make much more important gifts than a poor
556 man. He will not give a large sum of cowries, but he may give significant amounts of clothing, foodstuffs (salt, etc.), and animals to the head of his fiancée's family or to her mother. On the other hand, a poor man will give a bundle of firewood which he has just gathered in the bush and a chicken, and this payment will be considered sufficient.

431 Although the girl is not sold, her fiancé or his father are required
583 to make the gifts prescribed by custom.

"The failure to make those gifts prescribed by custom," says Vadier, "has serious consequences. Let us examine the various situations which might arise.

848 as soon as the baby is old enough to leave its mother, the husband, not wishing to keep it with him, will return the child to its natural father.

582 171 In short, virginity is not rigidly demanded of the girl, although it is considered better and more respectable than non-virginity. The Mossi are not as demanding on this point as the Bambara, and in this, according to my data, they are like all other Voltaic peoples.

684 Let us note one further detail. If the lover from whom reparation is demanded for the damage caused, that is to say, the payment of the goat, chicken, and two canari of dolo, does not want to give them, the husband would formerly appeal /242/ to the Moro Naba, who forced the lover to pay what he owed and in addition confiscated for himself a part of his goods for his salary as a judge. If the lover owned nothing, his family paid for him. Nowadays, the village or canton chiefs are still approached about such matters, and they force the lover to make the customary payment.

593 Rights and duties of the husband and wife.—The husband owes assistance and help to his wife. He must protect her and come to her aid whenever necessary.

The husband must support his wife. To secure food, he usually belongs to a work group, as we have seen earlier. The work group sustains the husband and wife for seven months out of twelve. The rest of the time, the husband maintains the wife with the produce of his small fields. The wife also has her own little patches of cultivated land (as big as a handkerchief), but they are not used to procure food for the household unless the husband is completely destitute. Hence, the produce from these little patches of soil usually goes to the wife herself.

In any case, it is the husband and not the group who must provide clothing for his wife. He does this with the earnings from his small fields.

593 ●586 If the husband should refuse to support his wife, although able to do so, she would take her complaint to the head of her spouse's family. If the husband still refused to support her after the intervention of the family head, the woman would regain her freedom and could return to her family.

593 The husband must see to his ailing or invalid wife's upkeep until her death.

833 The conjugal duty. —The wife owes her husband the fulfillment of the conjugal duty.

The wife must never evade it except when she is unwell, pregnant, or when she is nursing. We can see, therefore, that among the Mossi in particular and among the Sudanese in general (for the same customs prevail in this area among all Sudanese Negroes) there is great tact- [853] fulness. One appreciates this all the more if one bears in mind that here the women suckle their children for two or three years.

"If," says Vadier, "a woman should evade her husband from newly-wed shyness or from any other motive, he would first use all the means of persuasion at his command and, especially, beg the wife's relatives to speak to her. Should their exhortations prove vain, constraint [573] would be used by giving the wife a beating or putting her in irons. [586] Finally, should these measures fail to bring the spouse to compliance, she could be turned out by her husband.

"In return, the husband owes the wife the same conjugal duty which he has the right to demand from her.

"Should the husband fail to fulfill it because of impotence, sickness, or simply from ill will, the neglected wife would mention the matter to the family head's first wife, who would in turn notify him.

833 "Should the husband's behavior be caused by physical incapacity, 586 the wife would be taken from him and given to one of his brothers or, if there were none, to his closest male relative, but never to one of his sons. Should it be due merely to ill-feeling, a protest would be made, and should this fail to have any effect after several days, the wife would be allowed to return to her family." /245/

Let us state immediately that these contingencies almost never arise or are so rare as to be practically nonexistent. Custom anticipates them, however, and we have just described what happens when perchance they do arise.

562 Women's property. —Women may own individual property, as we 422 already know, goods which are not shared communally and which belong wholly to them. These goods come from various sources, sometimes the women's small plots of land, sometimes a surplus from the grain they are given to prepare food and which, once made into dolo, is sold for cowries. Sometimes also, the husband's munificence provides them with bracelets and other jewelry. Once given, this jewelry is wholly theirs, and it is added to the trinkets they procure with their own resources.

Moro Naba or a member of the aristocracy. When one of his wives deceived him, the Moro Naba had her killed along with her lover. The guilty pair were strangled with cotton bands. Concerning the nakomsé /descendants of nabas/, the true nakomsé (for the descendants of Naba Rawa and Naba Yadega are no longer considered nakomsé at the present day and have reverted to the mass of the common people), the true nakomsé related to royalty since the time of Naba Nabacéré (1625-1655) and his descendants, Pigo (1720-1739) and Kango (1754-1787), when one of their wives had deceived them, they appealed first to the Basi Naba, head of the nakomsé, and presented the guilty pair to him. The Basi Naba sent them on to the Moro Naba, who had the woman and her lover strangled. The lover's property went to the Rassam Naba, chief of the people of Bingo who were in charge of the execution. The same procedure applied when the people of Bingo (house slaves of the Moro Naba) executed the wife of a Moro Naba and her lover. The property, which could not with decency revert to the deceived Moro Naba, went to the Rassam Naba, chief of Bingo.

Just as the wife owes faithfulness to her husband, the husband owes faithfulness to his wife or wives. Violations of this rule are frequent, however, and the husband's escapades are far less important than those of the wife. In all events, the husband's infidelity never entails annulment of the marriage. Although the wives do not have the right to say much when their husband deceives them (provided he does not install his concubine in the conjugal household, and this in fact never happens), they do have two possibilities of revenge. The first is very rarely used by the Mossi women of Yatenga. It consists of notifying the husband of the woman with whom their husband is deceiving them. This results in more or less serious trouble for their husband. If their husband ventures to take into his hut for awhile a woman who does not belong to him, it may happen (and this occurs more frequently) that his wives will gather, wait for the guilty woman at the door of the soukala, and give her a good thrashing when she comes out. The husband cannot say anything to them. He himself is protected, so to speak, by his status as a husband and left outside the argument, but revenge is taken on his unlucky accomplice, and while nothing is said to him, he can do nothing to protect her.

Divorce. —Divorce occurs in Yatenga more frequently than among the Bambara for reasons which were explained above. Here are the

586 principal theoretical cases which may arise concerning divorce. I borrow them from Vadier.

"Divorce occurs in the following cases.

1. By mutual consent. Spouses may separate if they do not get along. This is very unusual, however, and occurs only after the family heads of both spouses intervene amicably. The /247/ wife keeps whatever gifts her husband may have offered her if it was he who first requested a divorce. On the other hand, she leaves them behind if it was she who asked to leave.

2. Insults. Insults addressed to the husband by the wife, or vice versa, are not grounds for divorce. If the husband insults his wife's relatives, divorce does follow. The wife keeps the gifts.

3. Maltreatment. It is acknowledged that the husband may beat his wife in order to discipline her. If the injuries are serious, however, or if the husband continually beats his wife, she becomes free, but the gifts, sheep, goats, bracelets, etc., which she received from her husband remain in his possession.

4. Nonfulfillment of the conjugal duty. (1) On the husband's part. If the husband does not cohabit with his wife, she cannot say anything, but she is free to have lovers outside of her husband's soukala. If the latter complains, the wife leaves him.

[164] If the husband is infected with a venereal disease, a period of three years is granted him for a cure. If he does not get well after this lapse of time, the wife becomes free.

Verification by the naba takes place, as in the preceding case, if the husband is impotent, and likewise the wife returns to her family. The wife retains the gifts in all three cases.

(2) On the wife's part. If the wife refuses to fulfill her conjugal duty, the husband can turn her out and keep the gifts which he gave to her.

If the wife has a venereal disease, the husband cannot take her back.

5. Infidelity. The husband's infidelity is not grounds for divorce. The infidelity of the wife, however, is sufficient reason to terminate the marriage. The gifts remain with the husband.

6. Lack of support. If the husband refuses to provide food and support for his wife, she may request a divorce, but she must leave to her husband the gifts she received from him.

[839] 7. Guilty relations of one of the spouses with animals or with a person accused of having had intercourse with a she-ass.

586 8. Incest. In case incest is committed by one of the spouses, the other has the right to request a divorce. The gifts remain in the husband's possession if the wife is guilty, or revert to her if it was the husband who commited incest."

Such are the major theoretical cases which may result in divorce. Let us first return to one of them: nonfulfillment of the conjugal duty on the husband's part. The results noted by Vadier seem contradictory to those which we mentioned above (under "conjugal duty"). Actually, no contradiction is involved. When a husband does not fulfill his conjugal duty toward his wife (this, incidentally, occurs quite rarely), either the woman has only praise for her husband in all /248/ other respects, or he is cruel and mean and she is dissatisfied with him on other counts. In the first instance, she takes a lover outside her husband's compound, a liaison to which he voluntarily shuts his eyes, and she does not request a divorce. In the second case, she does request one. That is how the situation is actually resolved.

[837]

586 837 Among the instances of divorce enumerated by Vadier, the most frequent, or rather the least rare, are as follows. (1) Continual infidelity on the part of the wife. I say "continual," for as we have already noted, while in principle a single infidelity on the woman's part enables the husband to ask for a divorce, in actual fact a wife is never sent back for a single breach of the marriage contract. Instead, she is merely beaten. If the woman persists in betraying her husband, however, he eventually sends her away. (2) Insults passed between each other by the husband and wife in a moment of anger do not count, but insults by the husband about his wife's relatives or by a wife about the husband's relatives are serious. (Incidentally, this sensitivity on the subject of relatives is not peculiar to the Mossi. It is common to all the Sudanese Negroes I have seen, Bambara, Malinke, etc.) Thus, if the husband insults his wife's relatives, she may request a divorce. Actually, a woman who loves her husband does not tell her relatives about insults which he may have aimed at them in a moment of anger. She says nothing and does not ask for a divorce. If she holds other grudges against her husband, however, or secretly wishes for a separation, she will eagerly take advantage of this motive which is considered to be serious. As regards the wife's insults against her husband's relatives (like the preceding, an unusual case among the Mossi), the same thing applies. Either the husband loves his wife and says nothing, or he does not love her and takes this opportunity to get rid of her.

586 578 602 [171]

586 As for the other causes of divorce, they occur very rarely, more rarely than the above.

Formalities of divorce. —"There are none," says Vadier. "The husband informs the head of his family and his wife's father of the decision he has taken. Likewise, the wife tells her father and the head of her family.

"If the divorce is contested and things do not work out amicably, the naba intervenes and remains the supreme judge."

Consequences of divorce. —1. Concerning property. "Each spouse," says Vadier, "keeps his or her own property." We have seen in the preceding paragraphs what happened in each case to the gifts given to the wife by her husband.

"As concerns the gifts given by the husband to the girl's family head or mother, there is no possibility of their return under any circumstances.

"2. Concerning the spouses. The spouses are completely freed by the divorce. They no longer have any obligations toward each other. /249/

"They may later marry each other again.

"3. Concerning the children. An important principle settles this question. The children belong to their father and consequently must remain with him.

"Small children accompany the mother, but they must return and live with their father when they reach the age of three (for boys) or six or seven (for girls).

"The divorced woman cannot return to her husband's hut to see her children. She may, however, go to the home of the head of her husband's family where her children may meet her with her husband's permission. The naba can override the father's authorization.

"With paternal consent, the children may go and see their mother at her home."

As Vadier has stated, an important principle governs the consequences of divorce as far as the children are concerned. As among most Sudanese populations, they revert to the father. He married in order to have children. The wife may go away and escape her basic function as generatrix for the husband, as generatrix for the husband's benefit, but the children remain with him. This matter is very important and deserves to be duly noted.

152 Psychology of the women. The woman as lover and as mother. — Mossi women love their children better than their husband. As for

842 How children are welcomed. —The Mossi are very happy to have children and want by all means to have some. This is indeed to their full advantage, since children work from the age of seven or eight, since they make sacrifices for their parents when the latter are dead, and since the daughters, by marrying, bring in gifts for the family. The more children one has, the happier one is.

842 789 "Under these circumstances," says Vadier, "a barren woman is very poorly regarded by her husband and not greatly esteemed by her neighbors. To overcome this sterility when it occurs, both spouses appeal to the gods. They both go to the tengasoba, the religious chief of the village, with a chicken, a goat, or a sheep, according to their means. The tengasoba cuts the animal's throat on a special stone, collects its blood, and boils it in a vessel along with various tree barks which have certain properties.

"This concoction is then given to the woman, who must mix it with her sarabou. If the spouses later have a child, they must, under threat of calling forth the vengeance of the divinity (the Earth, in [431] this case), offer the tengasoba a gift of 3,000 cowries if they had a boy or 4,000 cowries if they had a girl.

"The tengasoba also overcome sterility by cutting the animal's throat in the sacred grove (kango)."

847 Abortions. —Abortions nevertheless occur. Sometimes Mossi women cause an abortion in the event of an illegitimate pregnancy which occurred in the husband's absence. In addition, abortions are rather frequent among unmarried mothers. To conceal their lapse, [791] they appeal to the tipa or timisoba (makers of charms, medicines, and poisons) who give them a special brew of which they hold the secret.

[586] These practices are, of course, very poorly regarded by the Mossi. Married women who resort to them are turned out by their husband's. In addition, if a woman dies as the result of an abortion, her husband is likely to manifest joy and to state that the woman received a just punishment for her transgression. Finally, in former times after the [684] death of the guilty woman, the husband would go to the Moro Naba and denounce her lover to him. The naba confiscated all the lover's property.

843 Childbirth. —Among wealthy Mossi, the pregnant woman is treated with a certain regard. She does not work after the third month /252/ of pregnancy if this is her first, or after the sixth month if she has

8: Skinner E-5 (1955-1957) 1958
FA28 Mossi FA28

622
he received from them. This unequal exchange, plus the nobles' prerogative 797
of seizing the wives of pagans, contributed to the increase of the Moslems. 582

The conversion of Mossi to Islam is sometimes accompanied by a rupture in the relationships between persons involved in "friendships" with a view of 572
obtaining wives. A great quarrel developed in the district between a pagan 622
chief and a recent convert who refused to give the chief a daughter promised as 582
a wife. The chief became furious and claimed that the Moslem had broken a 797
promise made years ago, but the Moslem claimed that it was against his new religion to give his daughter to a pagan. It is not true that Moslems in the village do not exchange wives with pagans, but the Moslems often try to convert their pagan friends so that the brides will not have to revert to paganism. The chief's difficulty was that he could not become a Moslem because of his ritual and ceremonial relationship with the ancestors. The Moslem men do not have such difficulties with their pagan wives because most women follow their husbands' dictates in religious and other matters. Many Moslem men attempt to [562] [593]
prevent their wives from having sacrifices made to the ancestors, but if a woman really wishes such a sacrifice she can easily have it arranged through her pagan relatives. If a woman married to a Moslem refuses to observe Islamic practices, she is liable to divorce and runs the risk of having her children [586]
taken away.

Mossi anxiety over children is often instrumental in converting them to 797
Islam. When a woman is barren or her young children die, she consults a soothsayer (*barga*). She is either told that her Tengkougre benefactor was not am- 842
ply rewarded and recalled the children, or that her "Moslem" children (chil- [787]
dren who wished to be Moslems) were angry because they were given pagan names. In the latter case she is advised to make a gift to a Moslem and to ask her husband to build a Moslem prayer-circle outside his hut so that when her children "return" (are born again) they will see it. Finally, she is advised to [551]
give all her children Moslem names. I could discover no reason why the pagan soothsayers advise these anxious parents to adopt Islam, except that they hope that complicated prescriptions will be more efficacious. Nevertheless, so effective is this technique for gaining converts to Islam that even members of the family of the chief pagan priest are not immune to it. Furthermore, once a woman has a Moslem child, all her other children must be Moslems or they will die. A man whose children are all Moslem has no recourse except to adopt [764]
Islam if he wants a funeral, because his Moslem sons may not give him a pagan funeral.

Every Mossi, whether Moslem or non-Moslem, wishes a proper funeral, 797
and now that travel has increased the fact of being Moslem or pagan is of great 167
importance. Many young migrants to Ashanti have reported that their dead [164]
pagan comrades were unceremoniously disposed of, while the local Christians and Moslems took care of their dead coreligionists. But despite this fact, and the belief of administrators and missionaries, I found no evidence that the seasonal and other migration of Mossi youth to Ghana and the Ivory Coast have contributed very much to the spread of Islam. It is true that some of the thou-

10:Hammond E-5 (1954-1956) 1964 FA28 Mossi FA28

4. The importance of sibling-in-law joking as a means of regulating conflict in the Mossi marriage relationship is further substantiated by the results of comparative research conducted among the Mossi resettled at the Office du Niger in the neighboring Republic of Mali.

The Mossi, who were first forcibly and later voluntarily resettled in Mali, were allocated farm land as elementary family units without regard for their extended kinship affiliations. Thus a man often found himself living in unaccustomed "isolation," in the company only of his wife or wives and children, and otherwise surrounded by total strangers. Although the potential for conflict in the marriage relationship remained high, or was even augmented by the stresses of adjusting to a changed milieu, sibling-in-law joking, the institution through which such tension is traditionally regulated among the Mossi, was no longer operative. Unless the younger siblings of each spouse had accompanied them to the resettlement area, those individuals were absent to whom they might have communicated their grievances and expressed their aggressive sentiments in a socially harmless, psychologically satisfactory, and culturally acceptable way.

As the traditionally sanctioned means of dealing with tension resulting from marital conflict was no longer available to the Mossi resettled in Mali, there occurred an increase in the incidence both of violence in marital disputes and of separation and divorce.

BIBLIOGRAPHY

Brant, C. S. 1948. On Joking Relationships. American Anthropologist 50: 161.

Christensen, J. B. 1963. Utani: Joking, Sexual License and Social Obligations Among the Luguru. American Anthropologist 65: 1314-1327.

Colson, E. 1953. Clans and the Joking Relationship Among the Plateau Tonga of Northern Rhodesia. Kroeber Anthropological Society Papers 9-10: 45-60.

Cunnison, I. 1959. The Luapula Peoples of Northern Rhodesia. Manchester.

Eggan, F. ed. 1937. Social Anthropology of the North American Tribes. Chicago.

Fortes, M. 1949. The Web of Kinship Among the Tallensi. London.

Goody, J. 1956. The Social Organization of the Lo Wiili. London.

Griaule, M. 1948. L'alliance cathartique. Africa 28: 242-258.

Hammond, P. B. 1959. The Functions of Indirection in Communication. Comparative Studies in Administration, ed. J. D. Thompson *et al.* pp. 183-194. Pittsburgh.

———— 1963. The Niger Project: Some Cultural Sources of Conflict. Emerging Africa, ed. W. H. Lewis, pp. 12-28. Washington.

Labouret, H. 1929. La parenté à plaisanteries en Afrique Occidentale. Africa 2: 244-254.

Murdock, G. P. 1949. Social Structure. New York.

Paulme, D. 1939. Parenté à plaisanteries et alliance par le sang en Afrique Occidentale. Africa 12: 433-444.

Pedler, F. 1940. Joking Relationships in East Africa. Africa 13: 170-173.

Radcliffe-Brown, A. 1940. On Joking Relationships. Africa 13: 195-210.

———— 1949. A Further Note on Joking Relationships. Africa 14: 133-140.

Richards, A. 1937. Reciprocal Clan Relationships Among the Bemba of Northeastern Rhodesia. Man 37: 188-193.

Tait, D. 1961. The Konkomba of Northern Ghana. London.

Turner, V. 1957. Schism and Continuity in an African Society. Manchester.

Watson, W. 1958. Tribal Cohesion in a Money Economy. Manchester.

11: Skinner E-5 (1955-1957) 1964
FA28 Mossi FA28

[P.78]

V

LAW AND THE JUDICIAL PROCESS

671 The Mossi possessed a comprehensive body of rules governing human conduct. These rules were well known to the people, and violators were punished by the responsible authorities. The Mossi might be said to have had substantive law, but they had no written codes. Nevertheless, the lack of written codes does not warrant Mangin's blanket criticism of Mossi judicial processes: "Of course, there was no written code, no formal scale of penalties. Everything depended on custom and on the whim of the judge. [662] Thus, the wealthy could obtain sentences in their favor by paying the judges, and thieves could avoid punishment by sharing their loot with the Naba."[1] Custom did dictate the penalties, just as "written custom" dictates penalties [692] in all written legal codes. But, as we shall see, the Mossi did have a known [695] scale of penalties. Moreover, a Mossi judge had to be careful in rendering judgment, because his decisions could be reviewed by a higher court.

596 681 The head of the Mossi extended family, the *Yirisoba*, was responsible for the everyday conduct of his charges. It was his duty to settle all family quarrels, and to punish persons guilty of theft within the compound, disrespect toward elders, and incest. Punishment for the lesser wrongs included 596 683 684 reprimands and floggings. A person found guilty of disrespect to the elders or of incest could be banished from the group. But banishment was so severe that it was imposed only if the criminal refused to make the usual conciliatory gestures and was condemned by all the members of his boodoo. Even after this condemnation, however, he could ask a "sister's son," a yagenga, [613] to intercede for him. This man, the son of a female lineage member, had many privileges within his mother's brother's lineage, including the right to mediate between an exile and his boodoo.

593 586 613 Amicable relations within the family group were most often disrupted by conjugal difficulties. A Mossi husband could occasionally flog an erring wife, but he was not allowed to maltreat her. When a man became disgusted with his wife and wished to repudiate her, he put her water pots in the compound yard. This rather serious action often led to hostile relations

11: Skinner E-5 (1955-1957) 1964
FA28 Mossi FA28

between the lineages concerned. If either the repudiated woman or a member of her husband's lineage wished to initiate a reconciliation, she or he had to summon a yagenga. He alone was permitted to reconcile the couple after the pots had been placed in the courtyard. When a woman felt that she was being maltreated by her husband, she usually fled to her own patrilineage and waited for her husband's patrilineage—usually his brothers—to visit her male relatives and discuss the case. If the woman was judged guilty, she was reprimanded and sometimes flogged by her own relatives for causing trouble between the two lineages, and then sent home to her husband. However, if the man was found guilty, his wife was returned to him, but he was warned that he would forfeit all rights to her if he maltreated her again. A man who lost his wife through repeated maltreatment could not take the matter to court, because chiefs usually refused to deal with purely domestic issues. His only recourse was to induce one of his lineage brothers to recall a daughter who had married into his wife's lineage. This act was usually sufficient to bring about the reconciliation of the estranged couple before innocent persons were hurt.

The Mossi made every effort to solve minor problems without recourse to the chiefs. The local Boodkasemdamba and lineage elders adjudicated quarrels and simple offenses involving members of minimal segments in the various village saghse. They even tried to resolve difficulties between lineage members of larger segments who lived in different villages. The elders often imposed punishments such as reprimands, floggings, and even banishment. The convicted person did not usually appeal to the chief, because he knew that the chief would advise him to settle his problem within the family.

Unrelated villagers also tried to settle difficulties among themselves without appealing to the chief. For example, a man who was caught stealing could be beaten or even killed by his intended victims, and the chief did not punish them for their action. In many cases, villagers simply took the thief back to his relatives, knowing they would punish him. Occasionally, a family disgraced by a thieving member forced him to kill himself. When this happened the chief held an inquest but took no other action.

The Mossi gave a fairly simple explanation for returning a thief to his relatives for punishment. They said that every family had "weak" members, and that by not harming the captured thief they were only protecting themselves against retaliation if one of their own relatives should commit a similar crime. But a more important reason seems to have been their fear of starting a feud that might result in the premeditated murder of a man and the subsequent execution of his murderer.

The one crime that invoked terrible unofficial sanctions was rape. If the

12:Skinner E-4,5 (1955-1957) 1962
FA28 Mossi FA28

837 man even refrains from making overtures to a woman whose husband's female relatives may be married to a member of his own [689] lineage. He fears that a wronged husband may have the wives of his [613] lineage brothers recalled, thus causing dissension within and between the two lineages. If none of these complications are present, a man seeks out a person who knows the woman and sends a message declaring his intentions. If the response is favorable, the man then buys [431] four large kola nuts (four being the number for a woman), wraps [891] them together with 44 francs, and send them to his lady. This procedure may be followed on subsequent market days without the two parties ever coming into direct contact with each other. Finally, however, a rendezvous is arranged, and on the pretense of leaving the market to visit a relative for several days, the woman goes instead to her lover's village.

837 These casual affairs started at the market sometimes become quite
● 586 serious, and if for any reason they are sanctioned by the relatives of either the man or the woman, they often lead to the breakup of a [443] marriage. And since the market is the place where disputants of any [578] sort most likely come into contact, it is here that fights over "stolen" wives break out.

837 This pattern of extramarial relationships centering around the
443 market place is so common among the Mossi that the younger men, and even some of the older ones, are disappointed with the "market" when their mistresses do not appear. Mossi men who sit under the shelters around the market place can usually give an inquirer not only the name of a woman, the name and village of her husband and father, but also the name and village of her paramour. Characteristically enough, they are always "ignorant" of the escapades of their own female relatives or of the wives of their lineage members. The only
593 time when men act as though their relatives might be involved in
443 extramarital affairs is when for some purpose or another a man has to recall a wife or daughter who has gone to visit a relative in another village or district. Regardless of how pressing the problem may be, a man will seldom go directly to his father-in-law's house to recall the woman. He goes to the market nearest to his in-laws' village, and seeks his wife there. If he does not find her or any of her relatives, he goes to the part of the market in which people from her village sell their products and sends a message to her family that he will come for her the next day, or that he would like her to come home.

443 A market place is also one of the best places to look for news of a
203 runaway wife, or of any stranger in an area. The Mossi say that women have footprints like an elephant in that they can be found quite easily, but that the footprints are always clearest in the market.